

Defendant's Exhibit E1:

Step III Grievance Report & Relevant Grievances

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

KYLE RICHARDS #641715,
ROBERT KISSEE #575639,
KENNETH PRUITT #708518

NO. 2:20-cv-194

Plaintiff,

HON. PAUL L. MALONEY

v

MAG. PHILLIP J. GREEN

HEIDI WASHINGTON, KRISTOPHER
TASKILA, RUM PERTTU, RUM NIEMI,
JOSEPH GASPER and THOMAS
RAJALA,

Defendants.

Kyle Richards #641715
In Pro Per
Baraga Correctional Facility
13924 Wadaga Road
Baraga, MI 49908-9204

Raina Korbakis (P49467)
Attorney for MDOC Defendants
Assistant Attorney General
Michigan Department of Attorney General
MDOC Division
P.O. Box 30217
Lansing, MI 48909
(517) 335-3055

Robert Kisse #575639
In Pro Per
Macomb Correctional Facility
34625 26 Mile Road
Lenox Township, MI 48048

Kenneth Pruitt #708518
In Pro Per
Baraga Correctional Facility
Baraga Correctional Facility
13924 Wadaga Road
Baraga, MI 49908-9204

AFFIDAVIT FOR STEP III GRIEVANCES

I, Carolyn Nelson, Departmental Analyst, hereby certify that the attached MDOC Prisoner Step III Grievance Report is a true and accurate copy of the report generated for Robert Kisse, #575639. This report is taken from the Michigan Department of Corrections (MDOC) database that tracks all prisoner/parolee grievances filed at Step III, which have been responded

Defs' Ex. E1
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MDOC Prisoner Step III Grievance Report

1/1/2015 to Present

Prisoner #: 575 Last Name: Kisse First Name: o ert

X

Step III Rec'd	Grievance Identifier	Grievance Catagory	Facility	Step I Received Date	Resolved	Partially Resolved	Denied	Rejected	Closed	Date Mailed
10/8/2020	AMF-20-0 -154 -2	2	2	/1 /2020	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12/ /2020

Notes:

3/11/201	AMF-1 -02-0330-1	1	2	2/1/201	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	/ /201
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Notes:

3/ /201	AMF-1 -02-0355-1	1	2	2/3/201	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3/22/201
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Notes:

3/8/201	AMF-1 -02-040 -28	28	2	2/ /201	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3/22/201
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Notes:

Monday, May 24, 2021

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STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF CORRECTIONS
LANSING

HEIDI E. WASHINGTON
DIRECTOR

STEP III GRIEVANCE DECISION

Rec #: 120471

27B

To Prisoner: Kissee #: 575639
Current Facility: ~~AMF~~ MRF
Grievance Identifier: AMF-20-09-1549-27B
Step III Received: 10/8/2020

Your Step III appeal has been reviewed and considered by the Grievance Section of the Office of Legal Affairs in accordance with PD 03.02.130, "Prisoner/Parolee Grievances".

THE REJECTION IS UPHELD.

THIS DECISION CANNOT BE APPEALED WITHIN THE DEPARTMENT.

A handwritten signature in black ink, appearing to read "R. Russell".

Richard D. Russell, Manager Grievance
Section, Office of Legal Affairs

MAILED DEC - 7 2020

CC: Warden, Current Facility:
Warden, Grievated Facility:

AMF

Date Received by Grievance Coordinator

9/29/2020

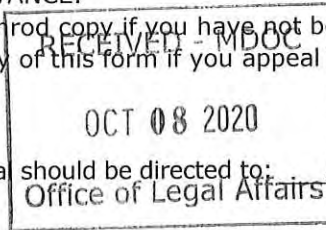
RECEIVED
Grievance Identifier:

A M F 2 0 0 9 1 5 4 9 2 7 B

SEP 29 2020

INSTRUCTIONS: THIS FORM IS ONLY TO BE USED TO APPEAL A STEP I GRIEVANCE.

The white copy of the Prisoner/Parolee Grievance Form CSJ-247A (or the goldenrod copy if you have not been provided with a Step I response in a timely manner) **MUST** be attached to the white copy of this form if you appeal it at both Step II and Step III.



If you should decide to appeal the Step I grievance response to Step II, your appeal should be directed to: **AMF**
Grievance Office By **10/7/2020**

If you should decide to appeal the response you receive at Step II, you should send your Step III Appeal to the Director's Office, P.O. Box 30003, Lansing, Michigan, 48909.

Name (Print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
Kissee	575639	AMF	5-124	9-1-20	9-22-20

STEP II — Reason for Appeal

ISSUE IS UNRESOLVED BECAUSE IN THE RESPONSE IT STATES ONCE A TV IS AVAILABLE I WILL RECEIVE ONE BUT I'M BEING TOLD DUE TO ME BEING ON ST6 I WILL NOT BE ABLE TO PARTICIPATE IN THE PROGRAM IN 6P BUT IN SEG I CAN I'M NOT GIVEN THE PROGRAM ITSELF BUT GIVEN HOW AMF STAFF IS CONDUCTING THE PROGRAM MAKING UP THEIR OWN WAY THEY WANT TO RUN THE PROGRAM BEING TOLD DUE TO ME BEING ON ST6 I CAN'T RECEIVE A TV OR PARTICIPATE IN THE PROGRAM BUT IN THE STEP I RESPONSE IT SAID I COULD.

STEP II — Response

Date Received by Step II Respondent:

* SEE ATTACHED

K. Taskina
Respondent's Name (Print)

Respondent's Signature

09/30/2020
Date

Date Returned to Grievant:

10/1/2020

STEP III — Reason for Appeal

ISSUE UNRESOLVED IT IS BEING STATED THAT WHILE IN SEG I CAN PARTICIPATE IN THE INSULTIVE PROGRAM BUT NOT IN 6P SO I AM BE REWARDED TO GO TO SEG IT VIOLATES FAIR/EQUAL TREATMENT WHATS FAIR FOR ONE PRISONER SHALL BE EQUAL FOR ALL PRISONER MY RESTRICTION I BE GIVEN A TV AS I AM WELL PASS THE CRITERIA TO RECEIVE ONE & STOP USING THE INSULTIVE AS A WAY TO DISCRIMINATE AGAINST ME.

NOTE: Only a copy of this appeal and the response will be returned to you.

STEP III — Director's Response is attached as a separate sheet.

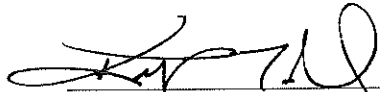
DISTRIBUTION: White – Process to Step III; Green, Canary, Pink – Process to Step II; Goldenrod – Grievant

SECOND STEP GRIEVANCE RESPONSE

Kissee	575639	5-124
Prisoner	Number	Lock
AMF	20-09-1549	27b
Facility	Grievance ID Number	Issue Code

Your Step I rejection is being upheld by the Warden's Office in accordance with PD 03.02.130 *Prisoner Parolee Grievances*.

THE REJECTION IS UPHELD AT STEP II


Warden's signature

09/30/2021
Date

MICHIGAN DEPARTMENT OF CORRECTIONS
 PRISONER/PAROLEE GRIEVANCE FORM

4835-4247 10/94
 CSJ-247A

Date Received at Step I 9/17/2020 Grievance Identifier: AMF20091549276

Be brief and concise in describing your grievance issue. If you have any questions concerning the grievance procedure, refer to PD 03.02.130 and OP 03.02.130 available in the prison Law Library.					
Name (print first, last)	Number	Institution	Lock Number	Date of Incident	Today's Date
ROBERT KISSEE	575639	AMF	5-124	9-9-20	9-10-20

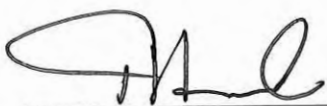
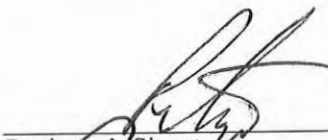
What attempt did you make to resolve this issue prior to writing this grievance? On what date? 9-9-20
 If none, explain why. I SENT 3 TO 4 KITEZ TO UNITS ROOM & ADW OF BARAGA & HAVE NOT RECEIVE NO RESPONSE TO MY ISSUE

State problem clearly. Use separate grievance form for each issue. Additional pages, using plain paper, may be used. Four copies of each page and supporting documents must be submitted with this form. The grievance must be submitted to the Grievance Coordinator in accordance with the time limits of OP 03.02.130.

I'M CURRENTLY IN UNITS OF BARAGA CORRECTIONAL FACILITY IN GP A INSENTIVE PROGRAM DUE TO ME BEING ON STG I'M BEING TOLD THAT I CANT RECEIVE A TV BUT IF I WOULD GO TO SEG I WOULD BE ALLOWED TO RECEIVE A TV AS A PART OF THE PROGRAM SO I'M BEING INSENTIVED 2 GO THE HOLE BUT WITH GOOD BEHAVIOR AND EARN MY WAY TO GP I'M TOLD I CANT NO LONGER PARTAKE IN THE PROGRAM IT WAS TO INSENTIVE GOOD BEHAVIOR BUT YET THE OPPOSITE IS BEING DONE I'M CURRENTLY 16 MONTHS PICKET FREE WITH 21 POINTS GOING HOME IN 3 MONTHS. MY BELIEF I WANT TO BE ALLOWED TO RECEIVE A PROGRAM TV AND USE THE INSENTIVE PHONE THAT IS BEING AWARDED FOR MY PRODUCTIVE BEHAVIOR AS THE PROGRAM INTENDED

RESPONSE (Grievant Interviewed?) ☐ Yes ☒ No If No, give explanation. If resolved, explain resolution.)

Your grievance is being rejected because you are grieving the content of administrative rules and Director's Office Memoranda (DOM 2011-6), which is a non-grievable issue according to PD 03.02.130. The incentives in GP program is a privilege not a right. You will receive an incentive TV when staff deems it appropriate and when one becomes available. Grievance rejected according to policy.

	<u>9/17/2020</u>		<u>9/18/20</u>
Respondent's Signature	Date	Reviewer's Signature	Date
<u>T. HAMEL</u>	<u>CRR</u>	<u>JEFF JIA</u>	<u>ADW</u>
Respondent's Name (Print)	Working Title	Reviewer's Name (Print)	Working Title

Date Returned to Grievant: <u>9/21/2020</u>	If resolved at Step I, Grievant sign here. Resolution must be described above.	Grievant's Signature	Date
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